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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 565 OF 2022

Matiz Metals Pvt. Ltd & Anr.Petitioners
V/s.
The Union of India & Anr.Respondents

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Mr. Karl Shroff a/w. Ms. Hema Desai i/by Jayesh Desai & As-
sociates for the Petitioners.
Mr. Pradeep Jetly a/w. Mr. J. B. Mishra a/w. Ms. Sangeeta Ya-
dav for the Respondents.

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CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ.

DATE : 8 MARCH 2023.

P.C. :-

On 7 February 2023 following order was passed:

“Heard the learned Counsel for the parties.

2. The learned Counsel for the Petitioner states that this Petition was filed on 19 January 2022 and thereafter, on 30 September 2022 the National Company Law Tribunal, Guwahati Bench has passed an order of moratorium and appointed the Interim Resolution Professional (IRP). The learned Counsel for the Petitioner states that in view of this development, instructions would be taken as regards the course of action to be adopted.

3. *Stand over to 8 March 2023.*

4. *If no affidavit is filed by the Interim Resolution Professional in this Petition, then the Petition will be disposed of for non-prosecution.”*

2. The learned Counsel who is originally represented the Petitioner has placed on record the affidavit of Amit Pareek who has been appointed as Interim Resolution Professional for the Petitioner-company. He has stated in the affidavit that his appointment was confirmed on 13 November 2022 in the meeting of Committee of Creditors. He has also stated that in the meeting held on 2 February 2023 of the Committee of Creditors, by majority it has been decided that the Petitioner be liquidated and the course of liquidation has since set in. He has stated that considering the facts of the case a decision is taken to withdraw the Writ Petition with liberty to agitate the contentions raised in the Writ Petition afresh, if the need so arises.

3. The affidavit tendered by the Interim Resolution Professional for the Petitioner-company is taken on record and marked 'X' for identification.

4. In light of this affidavit, the Writ Petition is disposed as withdrawn.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)